

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MARK DOWNEY,

Plaintiff,

v.

JUDGE, et al.,

Defendants.

CASE NO. 2:25-cv-01106-BJR-DWC

ORDER GRANTING APPLICATION  
TO PROCEED *IN FORMA PAUPERIS*  
AND DIRECTING INSTITUTION  
TO CALCULATE, COLLECT, AND  
FORWARD PAYMENTS

Plaintiff Mark Christopher Downey is an inmate proceeding *pro se* in this civil rights action. The Court, having reviewed Plaintiff's application to proceed *in forma pauperis*, hereby finds and ORDERS as follows:

(1) Plaintiff's IFP application and the declaration and letter filed in support thereof indicate he is unable to afford the Court's filing fee or give security therefore.<sup>1</sup> Dkt. 5; Dkt. 5-2. Accordingly, Plaintiff's application to proceed *in forma pauperis*, Dkt. 5, is GRANTED. As set forth below, an initial partial filing fee will be collected, and Plaintiff is thereafter required to

---

<sup>1</sup> Plaintiff did not file certified copy of his prison trust account statement in support of his IFP application and, instead, filed a letter explaining why he was unable to obtain that document. Dkt. While the Court grants IFP status in this case, Plaintiff is advised that he may be required to submit a copy of his prison trust account statement if later ordered by the Court.

1 make monthly payments of 20 percent of the preceding month's income credited to his account  
2 until the full amount of the filing fee is satisfied.

3 (2) Pursuant to 28 U.S.C. § 1915, and Plaintiff's approved application to proceed *in*  
4 *forma pauperis*, the agency having custody of the above-named Plaintiff is directed to calculate  
5 an initial partial filing fee equal to 20 percent of the greater of either: (a) the average monthly  
6 deposits to the prisoner's account; or (b) the average monthly balance in the prisoner's account  
7 for the 6-month period immediately preceding the date of this Order. The initial partial filing fee  
8 should be forwarded to the Clerk of Court as soon as practicable.

9 Subsequently, if the prisoner's account exceeds \$10.00, each month the agency having  
10 custody of the prisoner is directed to collect and forward payments equal to 20 percent of the  
11 prisoner's preceding month's income credited to the prisoner's account. In the event that the  
12 monthly payment would reduce the prisoner's account below \$10.00, the agency should collect  
13 and forward only that amount which would reduce the prisoner's account to the \$10.00 level.  
14 Please note this \$10.00 limit does not apply to the initial partial filing fee described above.  
15 Finally, the monthly payments should be collected and forwarded to the Court until the entire  
16 filing fee (\$350.00) for this matter has been paid.

17 (3) The Clerk is directed to send a copy of this Order to plaintiff and to the financial  
18 officer of this Court. The Clerk is also directed to send a copy of this Order and a copy of  
19 Plaintiff's Acknowledgment and Authorization portion of the IFP application, and to the agency  
20 having custody of plaintiff.

21 Dated this 24<sup>th</sup> day of July, 2025.

22   
23 \_\_\_\_\_

24 David W. Christel  
United States Magistrate Judge